

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO
RICO,

as representative of

THE COMMONWEALTH OF PUERTO
RICO, *et al.*,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

Re: ECF Nos. 18602, 20568, 21005

URGENT CONSENSUAL MOTION FOR EXTENSION OF DEADLINES

To the Honorable United States District Court Judge Laura Taylor Swain:

COMES NOW, Community Health Foundation of P.R. Inc. (hereinafter “Movant”), through the undersigned attorney and very respectfully submits this urgent consensual motion for entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), extending the dates and deadlines established in the *Order Granting Urgent Consensual Motion for Extension of Deadlines* [ECF No. 20568] (the “Scheduling Order”), and states as follows:

Request for Relief

1. On October 19, 2021, Community Health Foundation of P.R. Inc. (“Movant”) filed

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

the *Community Health Foundation of P.R. Inc.*'s Motion for Allowance and Payment of Administrative Expense [ECF No. 18602] (the "Administrative Expense Motion") seeking, among other things, (i) allowance and payment of certain post-petition wraparound payments and (ii) an order requiring the Commonwealth to prospectively make all wraparound payments to Movant.

2. The Administrative Expense Motion requested a hearing for the Court to consider the Administrative Expense Motion (the "Hearing") to be established for December 15, 2021 at 9:30 a.m. (A.S.T.) and the deadline to object to the Administrative Expense Motion ("Objection Deadline") to be November 30, 2021 at 4:00 p.m. (A.S.T.).

3. Thereafter, with Movant's consent, the Financial Oversight and Management Board for Puerto Rico (the "Oversight Board") moved for several extensions of the deadlines set forth above to, among other things, allow Movant to furnish to the Oversight Board certain requested documentation in support of its claim and for the Oversight Board to evaluate said documentation and investigate the claim.

4. On April 13, 2022, upon the motion of the Oversight Board requesting an extension of the schedule proposed in the Administrative Expense Motion [ECF No. 20556], the Court entered the Scheduling Order, which set the Objection Deadline for May 25, 2022, at 4:00 p.m. (A.S.T.) and the deadline for Movant's reply papers (the "Reply Deadline"), if any, for June 8, 2022, at 4:00 p.m. (A.S.T.). The Hearing is currently scheduled for the June 29, 2022, omnibus hearing. *See Order Granting Urgent Consensual Motion Seeking Adjournment of Hearing* [ECF No. 20568] ¶ 2.

5. On May 25, 2022, the Oversight Board filed the *Objection of the Financial Oversight and Management Board for Puerto Rico to the Motion of Community Health*

Foundation of P.R. Inc. for Allowance and Payment of Administrative Expense [ECF No. 21005] (the “Objection”) and a separate supporting *Declaration of Felmarie Cruz Morales in Respect of Objection of the Financial Oversight and Management Board for Puerto Rico* [ECF No. 21006] (the “Cruz Declaration”).

6. Movant is already working on obtaining and organizing the data requested by the Oversight Board and addressing other aspects raised in the Objection and in the Cruz Declaration. However, despite Movant’s best efforts, all the requested data will not be available by the deadline for Movant to file its reply to the Objection. Accordingly, Movant respectfully requests an extension of the deadlines relating to the Motion as follows:

- Reply Deadline: July 8, 2022, at 4:00 p.m. A.S.T.
- Hearing on the Administrative Expense Motion: August 10, 2022, at 9:30 a.m. A.S.T.

The Oversight Board has consented to this extension.

7. Pursuant to Paragraph 1.H of the *Sixteenth Amended Notice, Case Management and Administrative Procedures* [ECF No. 20190-1] (the “Case Management Procedures”), the Movant hereby certifies that it has carefully examined the matter and concluded that there is a true need for an urgent motion; it has not created the urgency through any lack of due diligence; has made a bona fide effort to resolve the matter; has made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court, and the Oversight Board consents to the relief.

WHEREFORE, Community Health Foundation of P.R. Inc. respectfully requests the Court to enter the Proposed Order and to grant any further relief as is just and proper.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, on this 3rd day of June 2022.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will notify all parties registered through their attorneys of record, including the Standard Parties and the Affected Parties; and have served a copy of the foregoing to the U.S. Trustee by U.S. mail.

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Exhibit A
Proposed Order